



Province of Alberta
Order in Council

O.C. 099 /2019

MAY 27 2019

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor
or
Administrator

The Lieutenant Governor in Council makes the Employment Standards (Minimum Wage) Amendment Regulation set out in the attached Appendix.

CHAIR

FILED UNDER
THE REGULATIONS ACT
as ALBERTA REGULATION 45/2019
ON May 27 20 19

DEPUTY REGISTRAR OF REGULATIONS

For Information only

Recommended by: Minister of Labour and Immigration

Authority: Employment Standards Code
(section 138)

APPENDIX

Employment Standards Code

EMPLOYMENT STANDARDS (MINIMUM WAGE) AMENDMENT REGULATION

1 The *Employment Standards Regulation* (AR 14/97) is amended by this Regulation.

2 Section 9 is amended

(a) by renumbering it as section 9(1);

(b) in subsection (1)

(i) in clause (a) by striking out “clause (b) or (c)” and substituting “clause (a.1), (b) or (c)”;

(ii) by adding the following after clause (a):

(a.1) except where clause (b) or (c) applies, for an employee who is under the age of 18 years and is a student enrolled in an educational institution, the rate is \$13.00 per hour for

(i) work performed during a school break for the employee, or

(ii) the first 28 hours in a work week for work performed other than during a school break for the employee;

(c) by adding the following after subsection (1):

(2) In subsection (1)(a.1),

(a) “educational institution” means

(i) a school as defined in the *School Act*,

(ii) a private post-secondary institution or a public post-secondary institution as those terms are defined in the *Post-secondary Learning Act*,

(iii) an institution that provides vocational training under the *Private Vocational Training Act*,

- (iv) a secondary school, post-secondary institution or vocational training institution outside Alberta that is comparable to an educational institution referred to in any of subclauses (i) to (iii), or
 - (v) a school or institution designated by the Director;
- (b) “school break”, in relation to an employee, means
- (i) a spring break, a Christmas or winter break or a summer vacation period recognized by the educational institution in which the employee is enrolled, and
 - (ii) any period in addition to a period referred to in subclause (i) that is determined by the Director to be a school break for the employee.

(3) Work performed by an employee during a school break for the employee is not included in a calculation of hours worked by the employee in a work week for the purpose of determining the minimum wage applicable to the employee under subsection (1)(a.1)(ii).

(4) An employee must provide, on the request of the employee’s employer, the information necessary for the employer to determine the minimum wage applicable to the employee under subsection (1)(a) or (a.1).

3 This Regulation comes into force 30 days after it is filed under the *Regulations Act*.